

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Richard Franco and Angela Joyner Franco, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A01.3.B.1.d. (193.3 & 1A00.3.B.3) to allow a 65-foot front setback from the center line of the road in lieu of the required 75-feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Hardship and practical difficulty;
2. Foundation to house was set out in error and to remove same, would be a hardship and difficulty;
3. The granting of the variance would not be detrimental to the health and safety of the community.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser: Richard Franco Legal Owner
Address: 606 E. Clovercrest Way
Cockeysville, Md. 21030

Petitioner's Attorney: S. ERIC DINEEN
Address: Suite 205 Alex. Brown Bldg.
8785 Old Rd. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day

of August, 1977, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of September, 1977, at 10:00 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

9/25/77
10:00 A.M.

DECLARATION AND WAIVER

THIS DECLARATION AND WAIVER made this 19th day of September, 1979, by and between Richard Franco and Angela Joyner Franco, his wife, parties of the first part; United Federal Savings and Loan Association, a corporation organized and existing under the laws of Maryland, party of the second part; Kozo Murakoshi and L. Bonnie Murakoshi, his wife, and Liberty Federal Savings and Loan Association, parties of the third part; Carley W. Fulcher and Linda L. Fulcher, his wife, and Madison Square Permanent Building Association of Baltimore City, parties of the fourth part; George W. Sauter and Myrtle E. Sauter, his wife, and Manor Land Associates, a Maryland Limited Partnership, and Christian G. Hayes, Joseph M. O'Neill and William J. Quinn, parties of the sixth part.

WHEREAS, Manor Land Associates, a Maryland Limited Partnership, is the developer of the subdivision situate in the Eleventh Election District of Baltimore County being known as Baldwin Mill Terrace and more fully described on an Amended Plat of Lot 11-17 entitled "Baldwin Mill Terrace," which Amended Plat is recorded among the Land Records of Baltimore County in Plat Book Liber E.H.K., Jr. No. 42, folio 97; and

WHEREAS, Manor Land Associates, also a party to a Declaration dated December 31, 1976 recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5713, folio 934, (hereinafter called the "Declaration"), by and between Manor Land Associates, a Maryland Limited Partnership, et al, and Marshall S. Turner, Jr. and Russell W. Turner, which Declaration established for the owners of the properties located in said Baldwin Mill Terrace subdivision, their heirs, personal representatives, successors and assigns, certain covenants, conditions, restrictions and reservations; and

WHEREAS, Paragraph No. 8 of said Declaration provides Manor Land Associates, a Maryland Limited Partnership, et al reserved the right to waive such portion of the protective covenants as they deem necessary or in the best interest of the development; and

Petitioner's Exhibit 1

WHEREAS, Paragraph No. 3 of said Declaration provides that no portion of any building, except open porches, eaves, bay windows and steps, shall be located nearer, to the front line than the minimum building setback lines as shown on the aforementioned recorded Plat; and

WHEREAS, by a Deed dated August 11, 1978, and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5922, folio 260, the said Angela Joyner Franco was granted and conveyed the fee simple title to the property known as Lot No. 15, as shown on the aforementioned Amended Plat of Lot No. 11-17 "Baldwin Mill Terrace", (hereinafter called the "Amended Plat", and the "Property" respectively), with the improvements thereon being known as No. 5 Turner Wood Court; and

WHEREAS, by a Mortgage dated May 11, 1979 and recorded among the Land Records in Liber E.H.K., Jr. No. 6020, folio 444, from Richard Franco and Angela Joyner Franco, his wife, to United Federal Savings and Loan Association, the Francos have encumbered the aforesaid property;

WHEREAS, by a Deed dated May 16, 1977 and recorded among the aforesaid Land Records in Liber E.H.K., Jr. No. 5759, folio 302, the said Kozo Murakoshi and L. Bonnie Murakoshi, his wife, parties of the third part were granted and conveyed the fee simple title to the property known as Lot No. 14, as shown on the aforementioned Amended Plat of Lot No. 11-17 "Baldwin Mill Terrace," with the improvements thereon being known as No. 7 Turner Wood Court, and by a Mortgage dated June 8, 1978 and recorded among the aforementioned Land Records in Liber E.H.K., Jr. No. 5894, folio 258, from Kozo Murakoshi and L. Bonnie Murakoshi, his wife, to the Liberty Federal Savings and Loan Association, party of the fourth part, the Murakoshis encumbered the said No. 7 Turner Wood Court; and

WHEREAS, by a Deed dated September 12, 1977, and recorded among the aforesaid Land Records in Liber E.H.K., Jr. No. 5802, folio 832, the said Carley W. Fulcher and Linda L. Fulcher, his wife, parties of the fourth part, were granted and conveyed the fee simple title to the property known as Lot No. 16 as shown on the aforementioned

Amended Plat of Lot 11-17 "Baldwin Mill Terrace," with the improvements thereon being known as No. 3 Turner Wood Court, and by a Mortgage dated July 26, 1978, and recorded among the aforesaid Land Records in Liber E.H.K., Jr. No. 5912, folio 151, from Carley W. Fulcher and Linda L. Fulcher, his wife, to the Madison Square Permanent Building Association of Baltimore City, party of the fourth part, the Fulchers encumbered the said No. 3 Turner Wood Court; and

WHEREAS, by a Deed dated April 14, 1978, and recorded among the aforesaid Land Records in Liber E.H.K., Jr. No. 5876, folio 634, George W. Sauter and Myrtle E. Sauter, his wife, parties of the fifth part, were granted and conveyed the fee simple title to the property known as Lot No. 17 as shown on the aforementioned Amended Plat of Lot 11-17 "Baldwin Mill Terrace," with the improvements thereon to be known as No. 1 Turner Wood Court, and by a Mortgage dated April 21, 1978 and recorded among the aforesaid Land Records in Liber E.H.K., Jr. No. 5876, folio 635, from George W. Sauter and Myrtle E. Sauter, his wife, to the Madison and Bradford Savings and Loan Association, Inc., party of the fifth part, the Sauters encumbered the said No. 1 Turner Wood Court; and

WHEREAS, the Builder for the Franco property known as No. 5 Turner Wood Court inadvertently measured from the curb line of the paved road rather than the front Lot line, and therefore has partially constructed the improvements on said property in violation of Paragraph 3 of the aforementioned recorded Declaration; and

WHEREAS, strict compliance with the aforementioned recorded Declaration would result in practical difficulty and unreasonable hardship to Angela Joyner Franco, the owner of said property, in that such strict compliance would necessitate the removal of said improvements resulting in substantial added cost to the said Angela Joyner Franco; and

WHEREAS, waivers of said recorded Declaration as to the property known as No. 5 Turner Wood Court only by the other parties hereto, would not affect the public health, safety and general welfare of

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the property owners who are parties to this Declaration nor the financial security of the various mortgage holders who are parties hereto; and

WHEREAS, the parties hereto wish to enter into this Declaration and Waiver to declare their knowledge of this inadvertent and minor violation of Paragraph No. 3 of the Declaration as to the Property known as No. 5 Turner Wood Court, and by this Declaration and Waiver to waive this inadvertent violation thereof.

NOW, THEREFORE, in consideration of Five Dollars and of this Declaration and Waiver, and of other good and valuable considerations the receipt whereof the parties hereto mutually acknowledge, it is agreed and declared as follows:

1. That through inadvertence the Builder for Richard Franco and Angela Joyner Franco has completed substantial construction of part of an individual dwelling house on the property known as No. 5 Turner Wood Court as shown on the attached plat entitled "Certification Plat of #5 Turner Wood Ct.", which plat dated June 28, 1979, prepared by McKee, Duvall and Associates, Inc., is attached hereto and is incorporated by reference herein.

2. That the parties hereto for themselves, their personal representatives, their heirs, successors and assigns as the case may be or become hereby declare their knowledge of such inadvertent construction, consent to the completion, occupation and maintenance of the said dwelling house on the Property known as No. 5 Turner Wood Court, and hereby forever waive the benefits of and the enforcement of Paragraph No. 3 of the aforesaid Declaration dated December 31, 1976, recorded among the Land Records of Baltimore County at Liber E.H.K., Jr. No. 5713, folio 934, as to the construction, completion, occupation and maintenance of a dwelling house as shown on the plat attached hereto pursuant to Paragraph 1 hereof, as to the Property known as No. 5 Turner Wood Court, more fully described in a Deed dated August 11, 1978, unto Angela Joyner Franco, which deed is recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5922, folio 260, and which Deed is incorporated by reference herein.

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WHEREFORE, the parties hereto have set their hands and affixed their seals, the day, month and years indicated herein.

WITNESS:

[Signature] [Signature] (SEAL)
Richard Franco, Party of the First Part

[Signature] [Signature] (SEAL)
Angela Joyner Franco, Party of the First Part

ATTEST:
United Federal Savings and Loan Association

[Signature] [Signature] (SEAL) V.P.
Party of the Second Part

WITNESS:
[Signature] [Signature] (SEAL)
Kozo Murakoshi, Party of the Third Part

[Signature] [Signature] (SEAL)
L. Bonnie Murakoshi, Party of the Third Part

ATTEST:
Liberty Federal Savings and Loan Association

[Signature] [Signature] (SEAL)
Party of the Third Part

WITNESS:
[Signature] [Signature] (SEAL)
Carley W. Fulcher, Party of the Fourth Part

[Signature] [Signature] (SEAL)
Linda L. Fulcher, Party of the Fourth Part

ATTEST:
Madison Square Permanent Building Association of Baltimore City

[Signature] [Signature] (SEAL)
Party of the Sixth Part

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WITNESS:

[Signature] [Signature] (SEAL)
George W. Sauter, Party of the Fifth Part

[Signature] [Signature] (SEAL)
Myrtle E. Sauter, Party of the Fifth Part

ATTEST:
Madison and Bradford Savings and Loan Association, Inc.

[Signature] [Signature] (SEAL)
Party of the Fifth Part

WITNESS:
Manor Land Associates, a Maryland Limited Partnership

[Signature] [Signature] (SEAL)
Party of the Sixth Part

[Signature] [Signature] (SEAL)
Christian G. Hayes, Party of the Sixth Part

[Signature] [Signature] (SEAL)
Joseph M. O'Neill, Party of the Sixth Part

[Signature] [Signature] (SEAL)
William J. Quinn, Party of the Sixth Part

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 20th day of August, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Richard Franco and Angela Joyner Franco, parties of the first part, and they acknowledged the foregoing DECLARATION AND WAIVER to be their true act and deed.

AS WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this ___ day of _____,

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1979, before me, the subscriber, a Notary Public of the State of Maryland in and for the County aforesaid, personally appeared

William W. Davis, duly authorized representative of United Federal Savings and Loan Association, Party of the Second Part, and he made oath in due form of law that the matters and facts set forth in the foregoing DECLARATION AND WAIVER are true to the best of his knowledge, information and belief and he acknowledged the foregoing to be the act of the Corporation.

AS WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 4TH day of September, 1979, before me the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Kozo Murakoshi and L. Bonnie Murakoshi, parties of the third part, and they acknowledged the foregoing DECLARATION AND WAIVER to be their true act and deed.

AS WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 10th day of September, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared DANIEL F. MURPHY, duly authorized representative of Liberty Federal Savings and Loan Association, party of the third part, and he made oath in due form of law that the matters and facts set forth in the foregoing DECLARATION AND WAIVER are true to the best of his knowledge, information and belief and he acknowledged the foregoing to be the act of the Corporation.

AS WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of September, 1922, that the herein Petition for the Variance(s) to permit a 65 foot front yard setback from the center line of the road in lieu of the required 75 feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

AS WITNESS my hand and Notarial Seal

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

AS WITNESS my hand and Notarial Seal.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 28th day of August, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared George W. Sauter and Myrtle E. Sauter, parties of the fifth part, and they acknowledged the foregoing DECLARATION AND WAIVER to be their true act and deed.

AS WITNESS my hand and Notarial Seal.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 11th day of September, 1979, before me, the subscriber, a Notary Public of the State of

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AS WITNESS my hand and Notarial Seal

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit

AS WITNESS my hand and Notarial Seal.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 19th day of September, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Christina G. Hayes, party of the sixth part, and he acknowledged the foregoing DECLARATION AND WAIVER to be his true act and deed.

AS WITNESS my hand and Notarial Seal.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 11th day of September

— 0

AS WITNESS my hand and Notarial Seal

STATE OF KENTUCKY, COUNTY OF HENDERSON. ss.

I HEREBY CERTIFY, that on this 12 day of September, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared William J. Quinn, party of the sixth part, and he acknowledged the foregoing DECLARATION AND WAIVER to be his true act and deed.

AS WITNESS my hand and Notarial Seal.

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We are waiting for the engineer to provide us with a plat that is suitable for recordation with the original.

NOTE: This is to certify that I have reviewed the property shown hereon and approved the location of the improvements on said lot and said improvements are located as shown.

James W. McKee
Surveyor

NOTE: This plat is not intended to be used for physical locations of property lines.

AMENDED PLAT
LOT No. 11 & 17
SECTION 16
TOWNSHIP 15 S. RANGE 18 E. S. 30

CERTIFICATION PLAT

15 TURNER WOOD CT
11th Elder
Cedar Rapids
Iowa 52403

McKee Duval & Associates, Inc.
Civil Engineers & Land Surveyors
1717 York Rd - Lan Lea Bldg - Lutherville, Md 21093
352-3920

DEPT. OF HIGHWAYS
STATE OF MICHIGAN
DIVISION OF HIGHWAYS
DIVISION OF HIGHWAYS
DIVISION OF HIGHWAYS

15 TURNER WOOD CT

11th Elder
Cedar Rapids
Iowa 52403

McKee Duval & Associates, Inc.
Civil Engineers & Land Surveyors
1717 York Rd - Lan Lea Bldg - Lutherville, Md 21093
352-3920

PETITION FOR VARIANCE
14th DISTRICT

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 6-----, 1979

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once in 1979~~ one time ~~successive weeks~~ before the 25th day of September, 1979, the ~~first~~ publication appearing on the 6 day of September 1979.

THE JEFFERSONIAN,
Franklin Street,
 Manage

Cost of Advertisement, \$-----

The Zoning Commissioners of Baltimore County, by authority of the Board of Health Regulations of Baltimore County, will hold public hearing.

Purpose: Variance to allow a 66 foot front setback from the centerline of road in lieu of the required 78 feet.

All zoning regulations to be accepted as follows:

From LAD-1B.1 (R) & LAO-1-B.B

All that parcel of land at the intersection of Turner Wood Court and Redwood Lane, known also designated as Lot 18 of Block 90, Subdivision No. 1, Plat 1 Baldwin Mill Terrace Addition recorded among the records of Baltimore City Department of Public Works, File No. D.P.W. 40, Folio 97.

Better Known As: Charles Franco, et al., as shown on plat filed in Baltimore City Department.

Hearing Date: Tuesday, September 26, 1978 at 10:00 A.M.

Hearing Room: Room 106, Council Office Building, 100 West Lake Avenue, Towson, Maryland.

WILLIAM E. HAMMOND,
Commissioner
of Baltimore County

PETITION FOR VARIANCE
11th District

[illegible]

OFFICE OF
THE
TIMES
NEWSPAPERS

TOWSON, MD. 21204 September 6 19 79

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCE - Richard Franco, et ux
was inserted in the following:

☐ Catonsville Times ☐ Arbutus Times
☒ Essex Times ☐ Community Times
☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland
once a week for one successive weeks before the
7th day of September 1979, that is to say, the same
was inserted in the issues of September 6, 1979.

STROMBERG PUBLICATIONS, INC.

BY Esther Burgee

APR 21 1980

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S of Turner Wood Court, 429' :
N of Sweet Air Rd., 11th District : OF BALTIMORE COUNTY
PICHARD FRANCO, et ux, Petitioners : Case No. 80-92-A

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

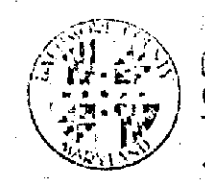
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
John W. Hessian, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 7th day of September, 1979, a copy of the foregoing Order was mailed to S. Eric DiNenna, Esquire, Suite 205, Alex. Brown Building, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hessian, III
John W. Hessian, III


BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3343
WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 26, 1979

S. Eric DiNenna, Esquire
Suite 205
Alex. Brown Building
Towson, Maryland 21204

RE: Petition for Variance
E/S of Turner Wood Court, 429'
N of Sweet Air Road - 11th
Election District
Richard Franco, et ux -
Petitioners
NO. 80-92-A (Item No. 30)

Dear Mr. DiNenna:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JEAN M. H. JUNG
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

MCKEE, DUVAL & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

1717 YORK RD.

LUTHERVILLE, MARYLAND 21093

Telephone: (301) 252-5820

July 10, 1979

Description of 2.05 Acres of Land, More or Less
11th Election District
Baltimore County, Maryland

Beginning for the same at a point on the eastern most right-of-way line of Turner Wood Court said point being 429 feet North of the intersection of Turner Wood Court and Sweet Air Road and being known and designated as Lot 15 of the amended plat of Lots 11 - 17 Section 1 Flat 1 Baldwin Mill Terrace said plat being recorded among the plat records of Baltimore County, in Liber E.H.K., Jr. 42 Folio 97.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner

Date: September 17, 1979

TO: John D. Seyffert, Director

FROM: Office of Planning and Zoning

SUBJECT: Petition #80-92A, Item 30

Petition for Variance for front yard setback
East side of Turner Wood Court, 429 feet North of Sweet Air Road
Petitioner - Richard Franco, et ux

11th District

There are no comprehensive planning factors requiring comment on this petition.

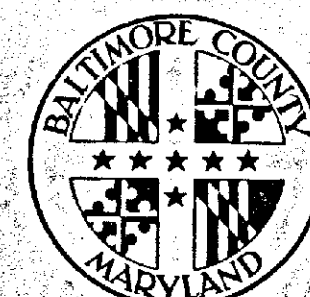
John D. Seyffert
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

S. Eric DiNenna, Esquire
Suite 205, Alex Brown Building
Towson, Maryland 21204

cc: McKee, Duval & Associates, Inc.
1717 York Road
Lutherville, Maryland 21093

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 7th day of August, 1979.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Richard Franco, et ux

Petitioner's Attorney S. Eric DiNenna, Esq. Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 18, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

S. Eric DiNenna, Esquire
Suite 205, Alex Brown Building
Towson, Maryland 21204

RE: Item No. 30
Petitioners - Richard Franco, et ux
Variance Petition

Dear Mr. DiNenna:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of the fact that the proposed dwelling was inaccurately located on this lot, this Variance Hearing is now required in order to legalize this situation. At the time of the field inspection, the foundation and framing for the first floor had been completed, but no other work was being performed.

A review of the submitted site plan indicates that the existing foundation is located 67 feet from the center line of Turner Wood Court. However, after conversation with you, it was decided that the petition would be advertised to request a 65 foot setback from the center line of said road in lieu of the required 75 feet. This would allow for any discrepancy in the measurement of this proposed structure.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted.

Item No. 30

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September 18, 1979

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:mr

Enclosures

cc: McKee, Duval & Associates, Inc.
1717 York Road
Lutherville, Maryland 21093

APR 21 1980



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204
(301) 494-3000

THORNTON M. MOURING
DIRECTOR

September 12, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #30 (1979-1980)
Property Owner: Richard & Angela J. Franco
E/S Turner Wood Ct. 429' N. Sweet Air Rd.
Existing Zoning: RC 2
Proposed Zoning: Variance to permit a front setback of 40'
and 65' to the center of the road in lieu of the required
50' and 75' respectively.
Acres: 2.05 District: 11th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #117614, executed in conjunction with the development of Baldwin Mill Terrace, of which, this property is Lot 15 of "Amende" Plat of Lot Nos. 11 thru 17 Section One - Plat One Baldwin Mill Terrace", recorded S.H.K., Jr. 42, Folio 97.

Baltimore County water supply and sanitary sewerage are not available to serve this property, which proposes to utilize private onsite water supply and sewage disposal systems. This property is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W-11A and S-11A, as amended, respectively indicate "No Planned Service" in the area.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #30 (1979-1980).

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley
P. Koch

UU-NW Key Sheet
78 N° 26 Pos. Sheet
NE 20 G Topo
45 Tax Map



baltime county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

John D. Seyffert
DIRECTOR

September 17, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #30, Zoning Advisory Committee Meeting, August 7, 1979, are as follows:

Property Owner: Richard and Angela J. Franco
Location: E/S Turner Wood Court 429' N. Sweet Air Road
Existing Zoning: RC-2
Proposed Zoning: Variance to permit a front setback of 40' and 65' to the center of the road in lieu of the required 50' and 75' respectively
Acres: 2.05
District: 11th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: August 13, 1979
FROM: Ted Burnham
SUBJECT: Zoning Advisory Committee Meeting of August 7, 1979

ITEM 21 See Comments
ITEM 22 See Comments
ITEM 23 See Comments
ITEM 24 See Comments
ITEM 25 See Comments
ITEM 26 See Comments
ITEM 27 Standard Comments only
ITEM 28 Not ready for field inspection
ITEM 29 Not ready for field inspection
ITEM 30 Standard Comment only
ITEM 31 Standard Comment only

TB:rrj

Charles E. Burnham
Ted Burnham, Chief
Plans Review

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 7, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: August 7, 1979

RE: Item No: 21, 22, 23, 24, 25, 26, 27, 30, 31
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/lup

JOSEPH N. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOTZARIS

THOMAS H. BOYER
MRS. LORRAINE F. CHIRCUS
ROGER B. HAYDEN

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

RICHARD Y. BUEHLER, SUPERINTENDENT



baltime county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reinecke
CHIEF

August 9, 1979

William E. Hammond
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Richard & Angela J. Franco

Location: E/S Turner Wood Ct. 429' N Sweet Air Rd.

Item No. 30 Zoning Agenda Meeting of 8/7/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Capt. David Kelly 8/14/79 Noted and Approved: *George M. McQuinn*
Planning Group Fire Prevention Bureau
Special Inspection Division



baltime county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

September 19, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

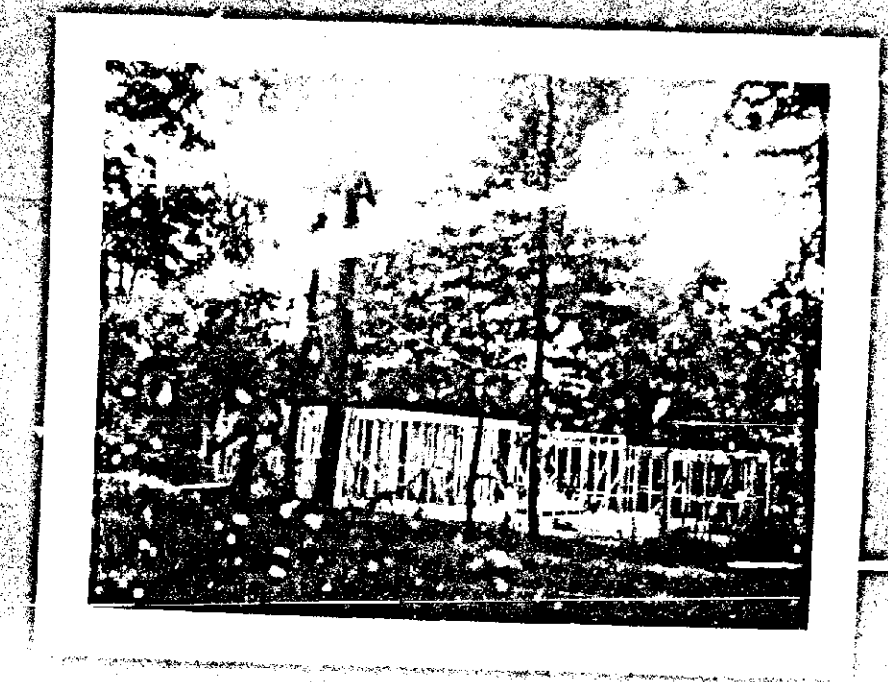
The department has no comments on the following items: Nos. 21, 23, 27, 30 and 31.

Sincerely yours,

Michael S. Flanigan
Michael S. Flanigan
Engineering Associate II

MSF/mjm

APR 21 1980



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 25th day of July, 1979.*

Filing Fee \$ 25.00

Received: ☒ Check
☐ Cash
☐ Other

William E. Hammond, Zoning Commissioner
Submitted by S. Eric D'Nenne

Petitioner Angela + Richard Franco
Petitioner's Attorney S. Eric D'Nenne Reviewed by Diana Little

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date. (no dev plan)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11 Date of Posting 7/9/79

Posted for: Petition for Variance

Petitioner: Richard Franco et al

Location of property: E. 15 Turner Road (ct.), 424' N. of

4th Street Air Rd.

Location of Signs: front of property (45 Turner Road (ct.))

Remarks: _____

Posted by Sean Collins Date of return: 9/14/79

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 83207

DATE September 26, 1979 ACCOUNT 01-662

AMOUNT \$11.19

RECEIVED FROM: Richard Franco

FOR: Advertising and Posting for Case No. 80-92-A

116226 26 4115 MC

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 83147

DATE August 28, 1979 ACCOUNT 01-662

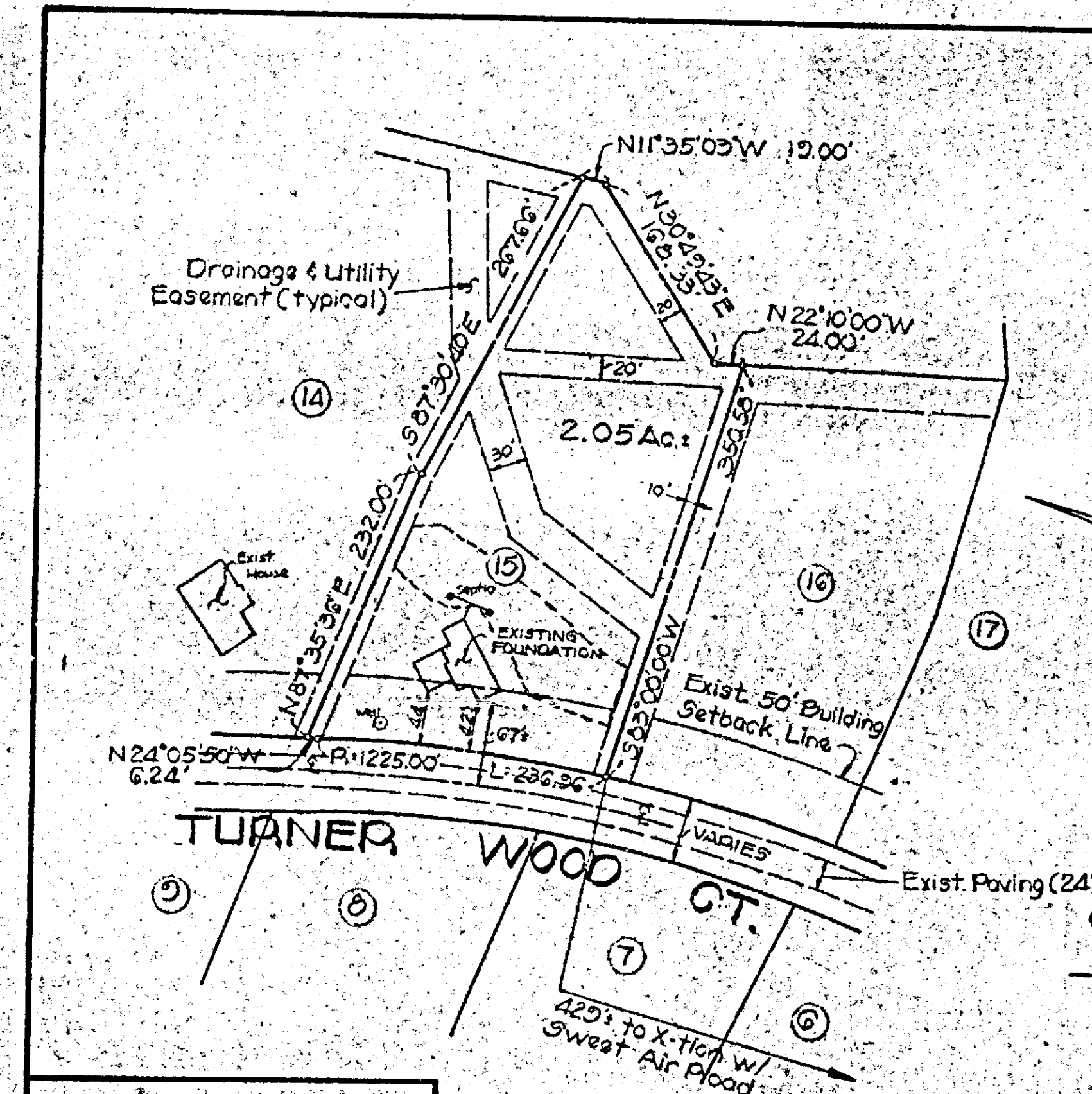
AMOUNT \$25.00

RECEIVED FROM: S. Eric D'Nenne, Esquire

FOR: Filing Fee for Case No. 80-92-A

973218 29 25.00 MC

VALIDATION OR SIGNATURE OF CASHIER



GENERAL NOTES

1. Existing Zoning of Property: R.C.-2
2. Proposed Use: Residential with a variance to Section 1A01.3 Bld (41A00-3B-3) of the Balto. Co. Zoning Regulations to allow a 40' front bldg. setback in lieu of the required 50' front bldg. setback, & to allow a 65' front setback from the center line of the Road in lieu of the required 75'.



James W. McKee 7/9/79
JAMES W. MCKEE REG. NO. 512

PLAT TO ACCOMPANY
PETITION FOR
VARIANCE TO ZONING
AT

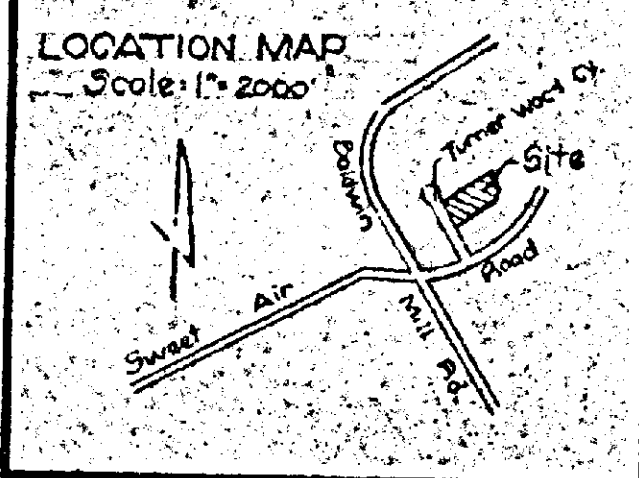
"5 TURNER WOOD COURT"

11th. Election District

Baltimore Co., Md.

Scale: 1" = 100'

July 9, 1979



AMENDED PLAT OF
LOTS 11 THRU 17
SECTION ONE - PLAT ONE
"BALDWIN MILL TERRACE"
E.H.K. JR. & 42:37

MAP: 10
ELECTION: NE 200
DISTRICT: 11
TYPE: 11
HEARD: 11
BY: 11
FINAL: 11
BY: 11

MCKEE, DuVAL & ASSOC. INC.
Civil Engineers & Land Surveyors
1717 York Rd. - Lutherville, Md. 21093
Date: 7-9-79 Scale: 1" = 100'



APR 21 1980